

17264 U.S.
06/23/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Packet No.: A-72343/RMS/THR
File No.: 470425-

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NUMBER ET 219906928 1/5

DATE OF DEPOSIT June 23, 2003

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER
37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO: MAIL STOP PATENT APPLICATION,
COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA,
VIRGINIA 22313-1450.

Anticipated Classification of
this Application:

Class: Subclass:

Prior Application:

Examiner:
Art Unit:

TYPED NAME Traci H. Ropp

SIGNED

Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

This is a request for filing an

- ☒ Original
☐ Continuation
☐ Divisional
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the names of Joan M. Henson, Kathy B. Sheehan, Russell J. Rodriguez, and Regina S. Redman, for THE USE OF ENDOPHYTIC FUNGI TO TREAT PLANTS.

1. (a) ☒ Enclosed is a new application.
(b) ☐ Enclosed is a continuation-in-part application.
(c) ☐ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
(b) ☐ Enclosed is a copy of the prior executed Declaration as originally filed.
(c) ☐ Enclosed is a Combined Declaration/Power of Attorney.
3. (a) ☒ Small Entity status is claimed.
(b) ☐ Small Entity Affidavit is of record in the prior application.

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4. X The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col.2)	<u>SMALL ENTITY</u>			<u>OTHER THAN A SMALL ENTITY</u>	
For:	<u>No. Filed</u>	<u>No. Extra</u>	<u>Rate</u>	<u>Fee</u>	<u>Or</u>	<u>Rate</u>	<u>Fee</u>
Basic Fee				\$ 375.00			\$750.00
Total Claims	<u>12</u> - 20 =	<u>0</u>	<u>0</u> x 9 =	\$ <u>00.00</u>	OR	<u> </u> x \$18 =	\$ <u> </u>
Indep Claims	<u>3</u> - 3 =	<u>0</u>	<u>0</u> x 42 =	\$ <u>00.00</u>	OR	<u> </u> x \$84 =	\$ <u> </u>
[X] Multiple Dependent Claims			+ 0 =	\$ <u>00.00</u>	OR	+ \$280 =	\$ <u> </u>
Total				\$ <u>375.00</u>			\$ <u>00.00</u>

* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

5. X NO check is enclosed.
6. Our check in the amount of is enclosed.
7. The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 50-2319 (Order No. A-72343/RMS/THR -- 470425-).
8. Cancel in this application original claims of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
9. Amend the specification by inserting before the first line the sentence:
10. (a) X Informal drawings are enclosed, 5 sheets.
(b) Formal drawings are enclosed, sheets.
11. (a) X Claims the benefit of applications U.S.S.N. 60/390,515, filed June 21, 2002.
(b) The certified copy has been filed in prior application Serial No. filed on .
12. An Assignment is enclosed.

13. ☐ The prior application is assigned of record to _____
14. ☐ A Power of Attorney by Assignee is enclosed.
15. ☐ The power of attorney in the prior application is to:
- _____
- (a) ☐ The power appears in the original papers in the prior application.
- (b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) ☒ Address all future communications to:

Robin M. Silva, Esq.
DORSEY & WHITNEY LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187

Telephone: (415) 781-1989

Customer Number 32940

16. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
17. ☐ A Prior Art Statement is enclosed.
18. ☐ A Sequence Listing is enclosed (comprising a communication, computer readable sequence listing, and paper copy thereof).
19. ☐ A CD-ROM (in duplicate) is enclosed which contains Table 1 which is a table of sequences. These sequences are expressly incorporated into the specification by reference.
20. ☐ I hereby verify that the attached papers are a true duplicate of prior application Serial No. _____ as originally filed on _____.

Date: June 23, 2003

Traci H. Ropp

Traci H. Ropp, Reg. No. 44,307 for
Robin M. Silva, Reg. No. 38,304

Address of Signer:

☐ Attorney or agent of record

Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: 415-781-1989

☒ Filed under Section 1.34(a)

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